

3 PROJECT DESCRIPTION

3.1 INTRODUCTION

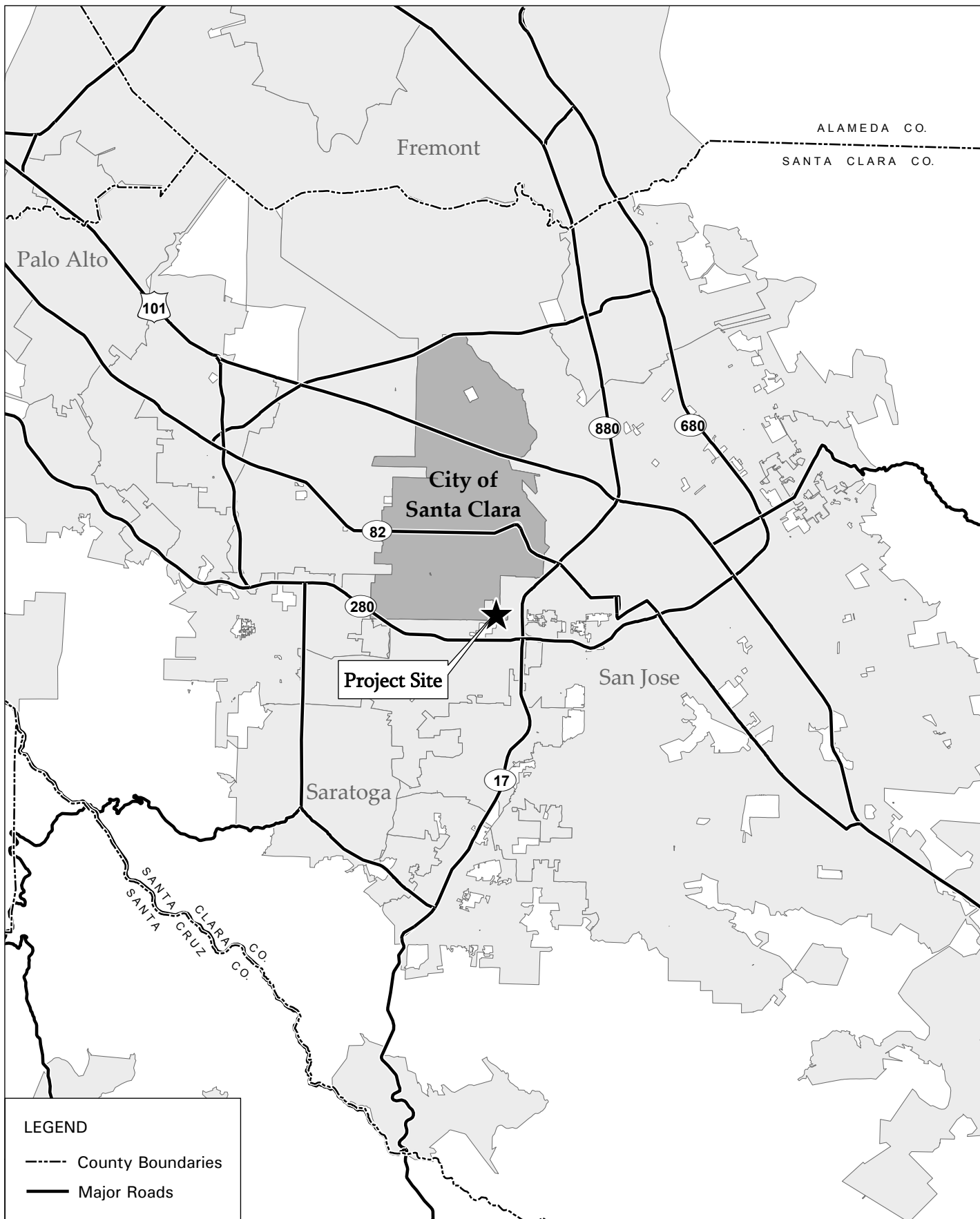
This Recirculated Draft Environmental Impact Report (RDEIR) evaluates the environmental effects of development of the Santa Clara Gardens Development Project (proposed project) formerly known as the 90 North Winchester Development Project. The property is approximately 17 acres of surplus state land, located in the City of Santa Clara, adjacent to the City of San Jose (Exhibit 3-1). No changes to the proposed project have occurred since publication of the previous DEIR on March 9, 2006.

The State of California, Department of General Services (DGS) is the owner of the project site. The State would be responsible for and Summerhill would implement all site cleanup and removal of contaminated soils to levels for unrestricted residential use. The State would then sell 6 acres of the property to the City Redevelopment Agency and 11 acres to the market rate developer. The City Redevelopment Agency would then transfer its property to an affordable housing developer and senior housing developer. The senior housing owner/operator (Santa Clara Methodist Retirement Foundation) and affordable housing developer (Charities Development) would develop a senior housing facility on approximately 6 acres and the market-rate housing developer (Summerhill Homes) would develop single-family housing and park uses on approximately 11 acres. The State's proposed actions include surplus sale of the surplus property to the City Redevelopment Agency and market-rate developer and implementation of a site cleanup plan under the direction of the Department of Toxic Substances Control (DTSC). The City's actions include considering approval of a General Plan Amendment, Planned Development Zoning Amendment, Initial Parcel Map, Tentative Map, and Development Agreement.

For this project, the City of Santa Clara is the Lead Agency and the DGS is a Responsible Agency under CEQA. The proposed project requires a set of interrelated actions (described in Section 3.4, Proposed Actions by the City) involving the City, DGS, and other Responsible Agencies. Other Responsible Agencies include the City of San Jose, DTSC, Santa Clara Valley Water District, the Regional Water Quality Control Board (RWQCB), and the City of Santa Clara Redevelopment Agency.

3.2 PROJECT LOCATION

The project site is located at 90 North Winchester Boulevard in the City of Santa Clara (Exhibit 3-2). The project site is bordered by residences along Forest Avenue to the north, Dorcich Street to the south, and Henry Avenue to the west. Winchester Boulevard is located immediately east of the project site (Exhibit 3-3). Valley Fair Mall and Santana Row are across Winchester Boulevard from the project site. The City of San Jose incorporated City limit is located along the northern property line of the project site and east of Winchester Boulevard.



Sources: California Spatial Information Library 2003, EDAW 2003

Regional Location

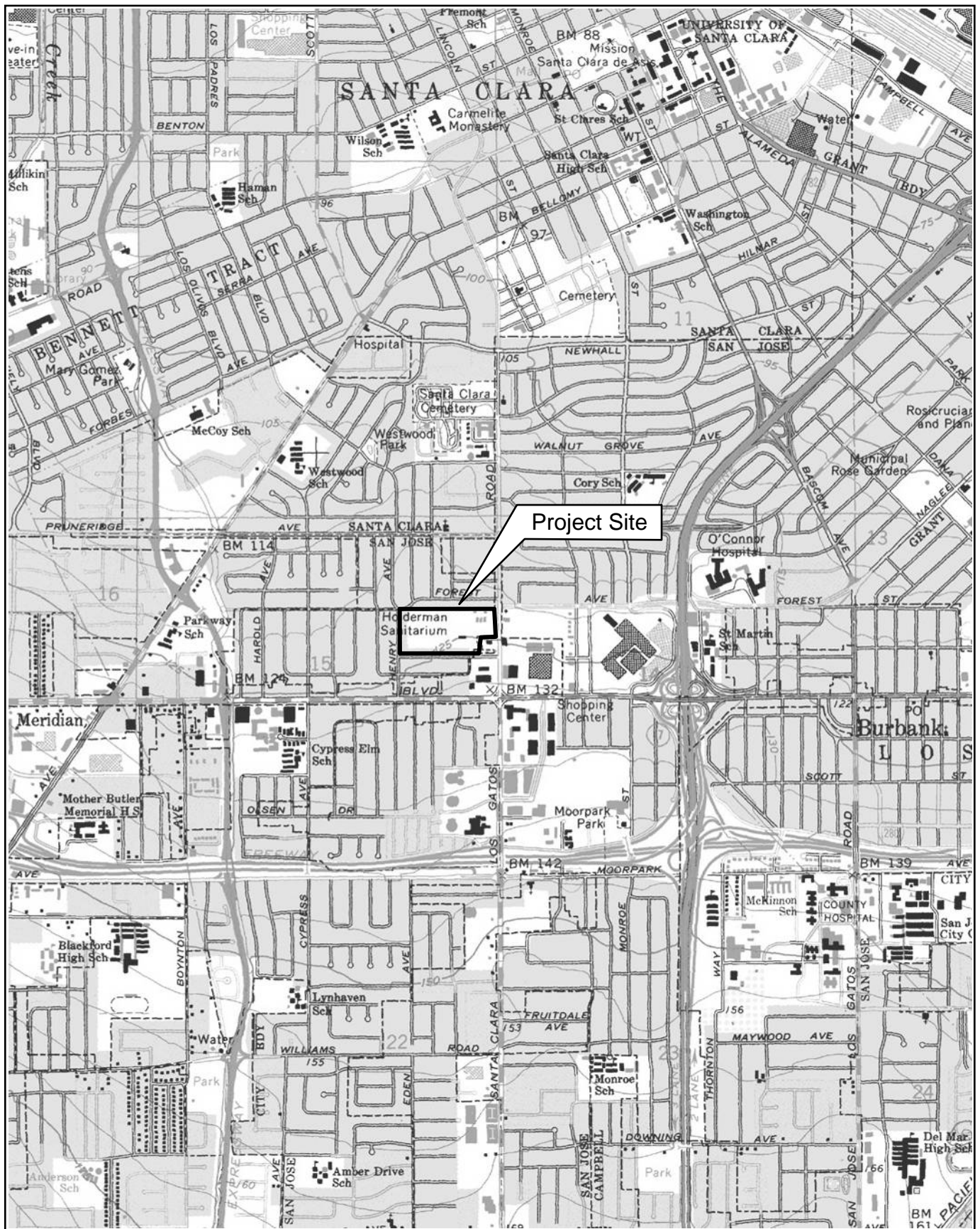
Santa Clara Gardens Development Project Draft EIR

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EXHIBIT **3-1**

EDAW



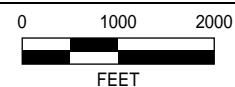
Source: USGS San Jose West Quad 1961 (photorevised 1980) – Contour Interval 5 feet

Site Location

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EXHIBIT 3-2



EDAW



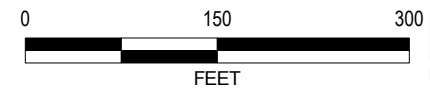
Source: City of Santa Clara, 2001

Project Vicinity

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EXHIBIT 3-3



EDAW

3.3 PROJECT BACKGROUND

The University of California (UC) has used the property as an agricultural research station since the 1920s. Formerly known as the Bay Area Research Extension Center, the primary research efforts at the site focused on improving crop production methods, irrigation systems, nutrition and variety characteristics of crops, and crop disease control. Part of the research involved demonstrating the efficacy of a variety of research and development pesticides. Over the past decade, use of the site has decreased as technology in agricultural operations has improved. As a result, UC decommissioned the agricultural research station in January 2003 and turned the property over to DGS.

The California State Legislature subsequently designated the property as surplus land pursuant to the provisions of Section 11011.1 of the State of California Government Code and in accordance with Senate Bill 2099 (Vasconcellos, Statutes of 2002). As a result, DGS made the property available for sale, lease, or exchange to other state agencies, local governmental agencies, and to private developers. Approximately 6 acres of the property would be sold to a senior housing developer for development of senior housing; the remaining acreage (approximately 11 acres) would be sold to a market-rate housing developer. The development actions proposed for this project would be subject to the City's development ordinances and standards.

The Santa Clara City Council undertook a planning process that included nine public meetings aimed at developing planning objectives from various city commissions, the community, and the council over a 3-month period. The City Council has made it their goal to employ a proactive planning process and has conducted two public outreach meetings to solicit public comments on the proposed use of the property. Many of the adjacent residents indicated that they preferred the site to remain as open space. Based on public comments received and the City's vision for development at the site, a set of conceptual development alternatives was brought before the City Planning Commission and City Council for their review and consideration. After reviewing these conceptual alternatives, the City Council communicated their vision for development of the site and directed staff to formalize their vision in a set of development objectives. These objectives provide the framework for land uses at the property and recommend that the site be developed with senior housing, single-family residential, and park uses.

DGS distributed these objectives to prospective private developers in its Request for Proposals for qualified buyers. A buyer for the property was selected and the city selected a non-profit developer for the 6-acre portion of the site. Because development of the site with senior housing, single-family residential, and park uses is a reasonably foreseeable action of the sale of the property, this DEIR evaluates the environmental effects associated with both the surplus of state-owned property and sale and development of the site for these purposes.

3.4 PROPOSED ACTIONS BY THE CITY

Project “approval” requires the lead agency (and Responsible Agencies) to approve the project and project components, issue various permits, or otherwise affirm compliance with agency requirements. A lead agency, as defined in State CEQA Guidelines Section 15367, is “the public agency that has the principal responsibility for carrying out or approving a project.” The City of Santa Clara (City) is the Lead Agency for the proposed project.

The City, as the lead agency, is responsible for certification of the EIR on the proposed project as being adequate according to CEQA. At the time of project approval, the City’s actions would include approval of the General Plan Amendment, Planned Development Zoning Amendment, Initial Parcel Map, Tentative Map and Development Agreement; adoption of findings of fact pursuant to State CEQA Guidelines Section 21081 for any significant effects of the proposed project; approval of a Statement of Overriding Considerations pursuant to State CEQA Guidelines Section 15093; and adoption of the Mitigation Monitoring and Reporting Program (MMRP).

The following CEQA review procedures and approval actions must occur before development of the proposed project can begin on the site. The procedures and actions are listed in sequential order:

- ▶ Circulation of the Notice of Preparation (NOP) for this DEIR to public agencies and the public.
- ▶ Hold a public scoping meeting to allow public and agency comment on the scope and content of the EIR
- ▶ Circulation of the DEIR and RDEIR by the City for public review and comment, as described in Chapter 1, Introduction.
- ▶ The City responds (in written form) to environmental issues raised in public comments.
- ▶ The Final EIR, consisting of all comments received on the DEIR and RDEIR, together with responses to significant environmental points raised in those comments and necessary changes to the EIR text will be made available, as described in Chapter 1. This step will include submittal of the proposed responses to comments on the DEIR and RDEIR to commenting public agencies at least 10 days before the City takes action in the project.
- ▶ The Planning Commission will hold a public hearing at which it will consider the adequacy of the Final EIR and make its recommendation to the City Council. The Planning Commission will also make its recommendations on the specific entitlement actions that should occur.
- ▶ The City Council will hold a public hearing at which it will decide whether to certify the Final EIR.

- ▶ After certification of the Final EIR, the City Council will take action on the proposed project. At this time, the City Council will consider the following actions:
 - Approve a General Plan Amendment changing the project site designation from moderate-density housing to single-family attached residential.
 - Adopt Rezoning of the project site from Agricultural to Planned Development for the single-family development and R3-18D (Low Density Multiple Dwelling) for the senior housing project.
 - Approve a Density Bonus for the project based on the affordable, senior housing to allow increased density and reduced parking for the senior project.
 - Approve one or more tentative and/or parcel maps, and Development Agreement for the project.
- ▶ Later, detailed site improvement and development plans (e.g., construction plans, final grading and paving plans) would be submitted to the City for design review. Approval of the plans would occur after design review. The proposed development plans would be reviewed in light of the information in this DEIR.

3.5 TRUSTEE AND RESPONSIBLE AGENCY ACTIONS

In addition to the Lead Agency, a number of other agencies will have discretionary approval related to the proposed project. A responsible agency includes “all public agencies other than the lead agency that have discretionary approval power over the project” (State CEQA Guidelines Section 15381). A trustee agency is a “state agency having jurisdiction by law over resources affected by the project which are held in trust for the people of the State of California” (State CEQA Guidelines Section 15386). Responsible and Trustee agencies for the proposed project and their related areas of review/discretionary authority are described below.

- ▶ State of California, Department of General Services: DGS will consider approval of the sale of the property to the City Redevelopment Agency and a market-rate developer. DGS is also responsible for preparing and the market-rate developer would implement the Removal Action Workplan (RAW) for site cleanup in accordance with its Voluntary Clean-up Agreement (VCA) with the DTSC.
- ▶ Regional Water Quality Control Board (RWQCB): The RWQCB has the authority to require a National Pollutant Discharge Elimination System (NPDES) storm water discharge permit for construction activities disturbing more that one acre of land.
- ▶ Department of Toxic Substances Control: DTSC will consider approval of the RAW and its implementation pursuant to a VCA with DGS.

- ▶ City of Santa Clara Redevelopment Agency: The City Redevelopment Agency will consider approval of a disposition and development agreement for the site and approval of acquisition of the 6-acre site.
- ▶ City of San Jose: The City of San Jose Public Works Department has authority to issue an encroachment permit that would allow improvements to Forest Avenue for emergency vehicle and pedestrian access, and any other traffic improvements required for the project in the City of San Jose limits.
- ▶ California Department of Fish and Game (CDFG): The project may affect wildlife under the jurisdiction of CDFG. As a State Trustee Agency for these resources, CDFG would comment on the EIR to seek actions that avoid or mitigate impacts to resources under its jurisdiction.
- ▶ State of California Department of Conservation, Division of Land Resource Protection (DLRP): DLRP oversees the California Farmland Conservancy Program (CFCP), which provides grant funding for projects that use and support agricultural conservation easements for protection of agricultural lands.
- ▶ State of California Department of Transportation (CALTRANS): The project would result in construction within Caltrans right-of-way. This would require an encroachment permit from Caltrans.

3.6 PROJECT CHARACTERISTICS

The project would include site cleanup; removal of existing structures; and development of senior housing, single-family residential, and park uses on the project site (Exhibit 3-4 and 3-5). A summary of the project characteristics are presented below.

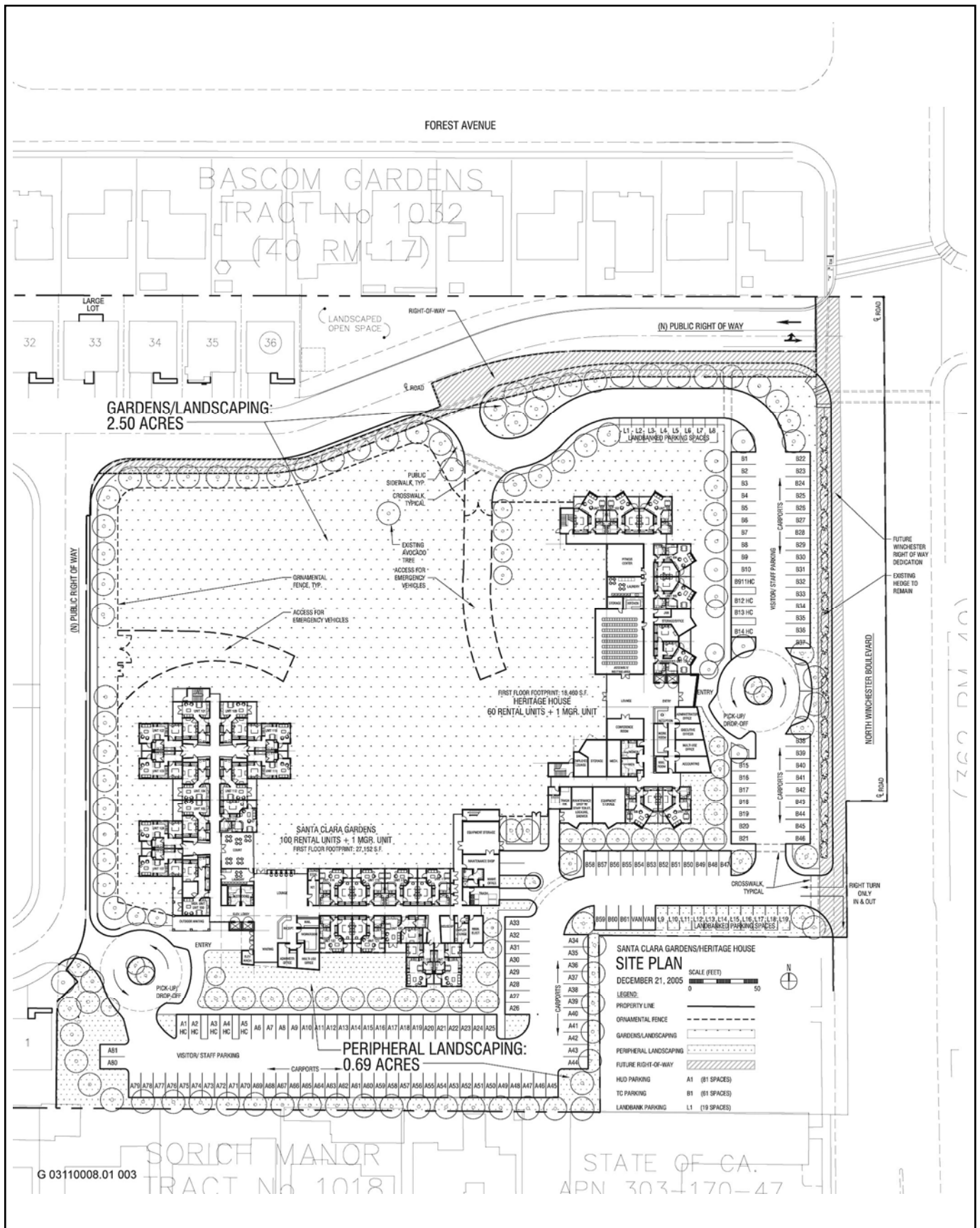
3.6.1 VOLUNTARY CLEANUP AGREEMENT (VCA) AND REMOVAL ACTION WORKPLAN (RAW)

As a result of pesticide use related to past agricultural practices on the site, some soils have concentrations of arsenic and dieldrin above U.S. Environmental Protection Agency (EPA) Preliminary Remediation Goals. DGS has entered into a VCA with DTSC. Pursuant to this agreement, DGS prepared a draft RAW that identifies necessary remediation activities. A copy of the draft RAW was released to the public during the DEIR (March 9, 2006–April 24, 2006) public comment period and is available for review at:

City of Santa Clara Planning Department
1500 Warburton Avenue
Santa Clara, California 95050
(408) 615-2450

DTSC File Room
700 Heinz Avenue, Suite 200
Berkeley, California, 94710
(510) 540-3800.

Santa Clara Central Park Library
2635 Homestead Road
Santa Clara, California 95051
(408) 615-2970;



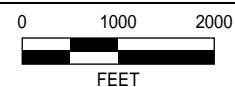
Source: Summerhill Homes 2006

Conceptual Site Plan and Landscape Plan for Senior Housing Development

EXHIBIT **3-4**

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The RAW outlines remediation activities such as excavation and removal of onsite contaminated soils and possible importation of clean fill material and was prepared consistent with the National Contingency Plan and California Health and Safety Code Section 25356.1. The primary objective of the RAW is to ensure the protection of human health and the environment consistent with the proposed land use. DTSC must approve the RAW before its implementation after comments received during DTSC's 30-day comment period are addressed. DGS would be responsible for and the market-rate housing developer would implement the cleanup plan for onsite soils in accordance with the VCA and the RAW approved by DTSC. Before development of the property, the RAW would be implemented and an Implementation Report would be approved by DTSC. Development of project facilities could not proceed unless onsite soils were remediated to levels suitable for unrestricted residential use.

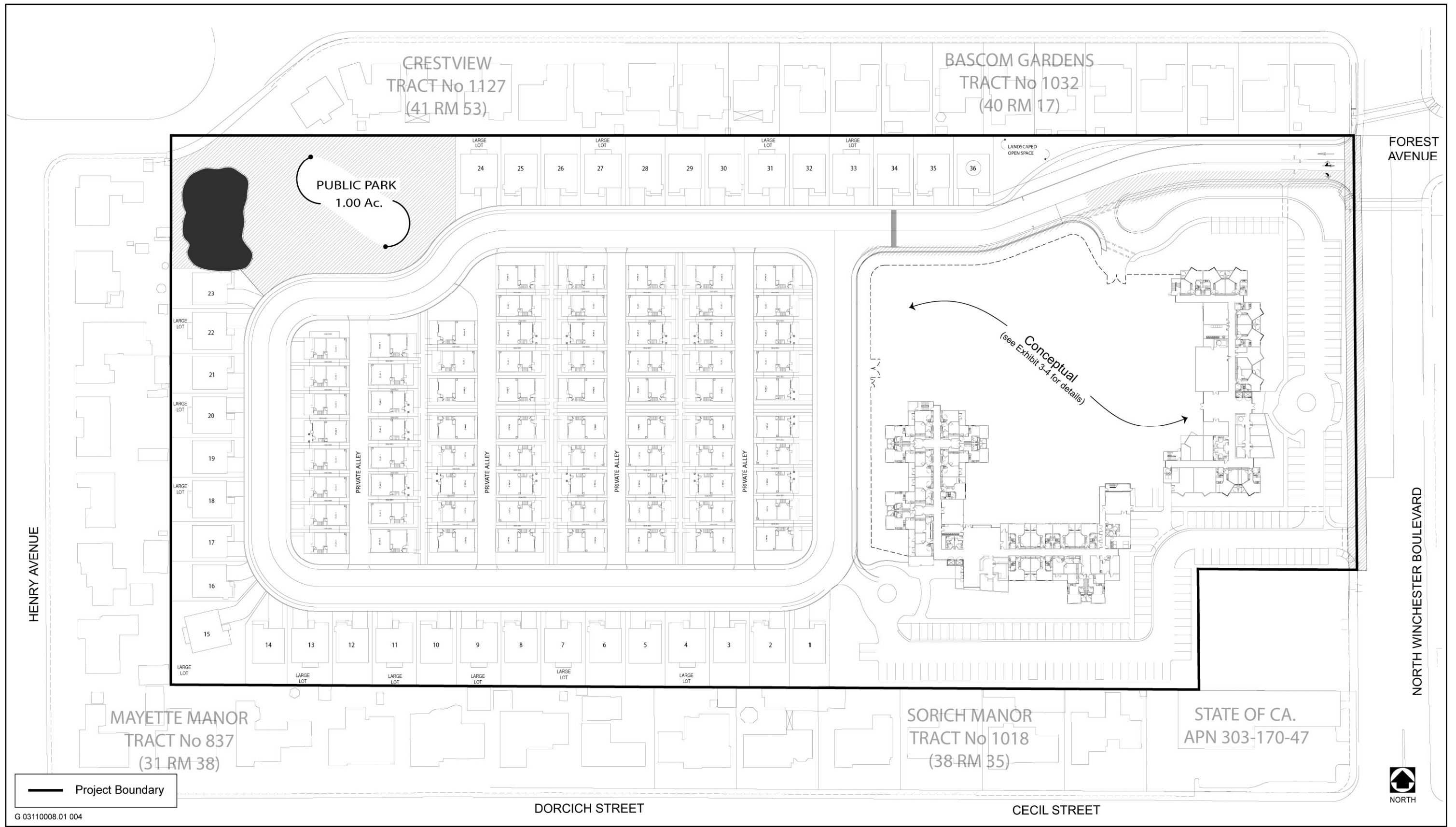
This DEIR evaluates the actions proposed in the RAW as elements of the project.

3.6.2 REMOVAL OF EXISTING STRUCTURES

All of the existing structures on the project site would be demolished and removed in preparation for development. If demolition activities involve any features included in the RAW, they would be incorporated into the site cleanup workplan preparation and approval. Demolition materials would be transported to an authorized landfill or a recycling facility.

3.6.3 SENIOR HOUSING

The senior housing developer proposes to develop approximately 6 acres of the site with two senior housing facilities (Exhibit 3-4). One facility would be located along Winchester Boulevard and the other facility is proposed to be located near the southern property line. Both facilities would provide up to 165 senior housing units in buildings up to four stories tall (50 to 60 feet in height). The housing units, typically one bedroom, would range in size from 540 to 620 square feet. A two-bedroom manager's housing unit would be provided in each housing facility (total of 2 units). Approximately 165 parking spaces would be provided in a designated parking area; 44 spaces (including 9 handicap spaces) would be provided for visitor and staff parking and the remaining parking spaces would be for residents of the facility. Handicap spaces would be provided in accordance with state standards. This parking would be for the sole use of senior housing residents, guests of residents, and facility employees. The facility would also provide landscaped/garden areas in the 6-acre site. Primary access to the senior housing facility would be provided from a new road intersecting Winchester Boulevard north of the housing facilities. A secondary right-turn only entrance/exit along Winchester Boulevard would be provided south of the housing facilities.



Conceptual Site Plan for Single Family Housing Development

3.6.4 SINGLE-FAMILY HOUSING

Approximately 10 acres of the project site would be developed with single-family residences (Exhibit 3-5). A maximum of 110 dwelling units on lots ranging in size from 2,000 to 5,000 square feet would be constructed. Individual units would range in size from 1,500 square feet to 3,000 square feet, and would include 3 to 4 bedrooms and a 2-car garage.

In general, the larger lots and homes would be located around the perimeter of the project site, with the smaller lots and homes concentrated in the center of the site. Perimeter residences would have rear-yard setbacks ranging from 15 to 20 feet. Perimeter units would be no more than two stories.

Residential units in the center of the site would be two stories tall above enclosed 2-car parking garages and would be compatible with surrounding residential development. Garages and driveways would accommodate resident parking. Access to this neighborhood would be provided by a new public road intersecting Winchester Boulevard. This road would also provide access to the senior housing facilities.

3.6.5 PARK USES

The project would include the dedication of a one-acre park to the City. The developer would construct the 1-acre park in conformance with City Department of Parks and Recreation requirements. The park would be located in the single-family housing area, in the northwest corner of the project site. The project includes the development of a neighborhood City park typical of other parks in the City, including water fountain, play areas, walking paths, restrooms, and barbeque areas.

3.6.6 ONSITE DETENTION

Onsite stormwater detention would be included as part of the proposed project. Onsite detention alternatives could include, but are not limited to, the construction of a detention basin that discharges storm water to the storm water system, a retention pond that percolates to groundwater, or drainage swales that percolate to groundwater. Performance criteria for onsite detention requirements are discussed in this DEIR. The specific design of detention facilities are not included in this DEIR, but will be included in development plans submitted to the City after approval of the project.

3.7 PROJECT OBJECTIVES

The City of Santa Clara, as the lead agency, has developed the following primary objectives to satisfy the requirements of the State CEQA Guidelines Section 15124 (b):

- ▶ provide senior affordable housing on the project site near Winchester Boulevard,
- ▶ provide onsite drainage consistent with City standards,
- ▶ provide additional housing units to assist in meeting the City's housing objectives, and
- ▶ create residential development compatible with surrounding uses.

In addition, through an extensive stakeholder process, the City Council identified several specific objectives for development of the project site, which build upon the primary CEQA objectives identified above. These secondary objectives include:

- ▶ providing clustered senior affordable housing along Winchester Boulevard in 2- to 4-story structures with open space on the site,
- ▶ dedicating at least one acre of the site for public park uses,
- ▶ providing vehicular access only from Winchester Boulevard,
- ▶ limiting access from Forest Avenue to emergency vehicles and pedestrians only, and
- ▶ investigating feasible improvements to the Forest Avenue/Winchester Boulevard intersection to resolve existing traffic congestion.

DGS has developed the following project objectives for the sale of the property:

- ▶ maximize the financial benefits to the State of California from the sale of the surplus property,
- ▶ provide affordable housing on the project site,
- ▶ remediate all onsite soils to levels that meet current DTSC regulatory requirements for unrestricted residential development, and
- ▶ use the site for private rather than state uses unless economically infeasible.

3.8 PROJECT CONSTRUCTION

Construction activities related to the proposed project would include remediation (i.e., removal) of onsite contamination, construction of utilities (e.g., underground power utilities and storm drainage facilities), site preparation, mixing and redistribution of onsite soils, paving of parking and circulation areas, development of onsite detention facilities, development of a neighborhood City park, and construction of the proposed senior housing facilities and single-family residences. The remediation activity required by the RAW may include the excavation, scraping, moving, stockpiling and grading of discrete locations up to four feet in depth that at are elevated levels of contamination. Details on the RAW including the different remedial options are described in the recirculated Section 4.6, “Hazards and Hazardous Materials.” Following the No Further Action Letter from DTSC, the remaining site preparation work will commence, which would include excavation and mixing of soil up to 4 feet in depth throughout the site. The site would then be graded and compacted to predetermined levels to prepare for housing development and other improvements. All construction activities would occur in the 17-acre project site except for roadway improvements on Forest Avenue and Winchester Boulevard. Equipment used for construction would vary day-to-day depending on the activity, but would include typical equipment such as scrapers/earthmovers, wheeled dozers, water trucks, fork-lifts, wheeled loaders, and motor graders. No unusual construction

requirements are anticipated (e.g., pile drivers). Construction activities would occur during normal business hours of operation.

During the construction period, a maximum of 150 construction workers would commute to the site at any one time. Construction workers would enter the project site only from Winchester Boulevard and would park all vehicles onsite or in an arranged offsite location suitable for such purposes (e.g, parking garage). No vehicles would be permitted to park on surrounding neighborhood streets. Construction would commence following the initial site preparation phase (approximately 2 months). Construction of the project is expected to begin in 2006 and would last approximately 24 to 36 months.